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9 UNITED STATES DISTRICT COURT
10 DISTRICT OF NEVADA

11 Michael J. Mulder,

12 Petitioner

13 v.

14 William Gittere, Warden, Ely State
Prison, et al.

15 Respondents
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Case No. 3:09-cv-00610-CDS-CSD

STIPULATION AND ORDER

DEATH PENALTY CASE

STIPULATION

Petitioner Michael Mulder, through counsel Heather Fraley, Assistant Federal Public Defender, and Respondent William Gittere, et al, through counsel Heather Procter, Chief Deputy Attorney General, hereby stipulate as follows:

- On June 6, 2023, counsel for Mr. Mulder filed a Motion for Appointment of Counsel in a 42 U.S.C. § 1983 Proceeding and for Appointment as Guardian Ad Litem. The motion references numerous exhibits. The exhibits that were supposed to be filed with the motion were inadvertently not filed.
- Counsel for Mr. Mulder did not realize the error until June 20, 2023 when counsel for the State filed their Opposition to Mr. Mulder's motion.
- Concurrently with the instant stipulation, counsel for Mr. Mulder are filing a Notice of Corrected Document that attaches the missing exhibits and corrects the numbering for those exhibits.
- In the interest of fairness and professionalism, counsel for Mr. Mulder agree that the State should have the opportunity to file a revised opposition to the motion for appointment of counsel.
- Accordingly, the parties hereby stipulate and agree that Respondents should have until July 18, 2023 to file a Revised Opposition to Motion for Appointment of Counsel. The parties further agree that Mr. Mulder should

1 have two weeks from the date Respondents file their Revised Opposition to
2 file a Reply.

3 DATED this 20th day of June 2023

4 RENE L. VALLADARES
5 Federal Public Defender

AARON FORD
Nevada Attorney General

6 /s/ Heather Fraley
7 HEATHER FRALEY
Assistant Federal Public Defender

/s/ Heather Procter
HEATHER PROCTER
Chief Deputy Attorney General

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9 IT IS SO ORDERED.

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12 U.S. District Judge Cristina D. Silva

13 DATED June 21, 2023
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